

Message Text

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ACTION L-02

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C O N F I D E N T I A L TOKYO 16180

FOR L/OES AND OES/OFA

E.O. 11652: GDS

TAGS: EFIS, JA

SUBJ: TEXT OF GOJ-US FISHERIES AGREEMENTS -- CONFIDENTIAL
LETTERS

REF: TOKYO 017098, TOKYO 16131, TOKYO 16175

FOLLOWING FOR DEPT INFO ARE TEXTS OF THREE LETTERS GOJ IS
PROVIDING TO US IN CONTEXT OF BILATERAL FISHERIES DISCUSSIONS.

1. LETTER CONCERNING CRAB OBSERVER PROGRAM, MARKED FOR OFF-
ICIAL USE ONLY. QUOTE DEAR MR. CLINGAN. WITH REFERENCE TO THE
JAPANESE NOTE DATED TODAY CONCERNING THE OBERVER PROGRAM FOR
THE CRAB FISHERIES, I AM PLEASED TO INFORM YOU THAT THE SAID
OBSERVER PROGRAM WILL INCLUDE THE FOLLOWING ELEMENTS:

(A) ALL CRABS HARVESTED BY THE CATCHERBOATS AFFILIATED WITH
THE TWO MOTHERSHIPS LICENSED TO FISH FOR KING AND TANNER CRABS
IN THE EASTERN BERING SEA WILL BE PROCESSED (BUTCHERED, COOKED
AND/OR FROZEN) ON THE TWO MOTHERSHIPS:

(B) NO DELIVERIES OF CRABS HARVESTED BY SAID CATCHERBOATS
WILL BE MADE TO A MOTHERSHIP UNLESS AT LEAST ONE U.S. OBSERVER
IS PRESENT ON THE MOTHERSHIP, EXCEPT IN CASES WHERE CIRCUM-
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STANCES ON THE U.S. SIDE PREVENT THE PRESENCE OF U.S. OBSER-

VERS ON THE MOTHERSHIP. IN SUCH CASES, PROMPT COMMUNICATION WILL BE MADE IN ORDER FOR THE JAPANESE AND U.S. AUTHORITIES TO DISCUSS THE WAYS IN WHICH THE U.S. OBSERVERS CAN BE PLACED ON BOARD THE VESSELS AS SOON AS POSSIBLE.

(C) OBSERVERS WILL BE NOTIFIED OF EACH AND EVERY DELIVERY. WHERE POSSIBLE, JAPANESE OFFICIALS WILL SCHEDULE ALL CRAB DELIVERIES DURING THE SAME 12-HOUR PERIOD EACH DAY, DURING WHICH TIME UNITED STATES OBSERVERS WILL BE ALLOWED TO BE ON DECK AT THE TIME OF VERIFICATION OF THE WEIGHT OF EACH CRAB LANDING FOR THE PURPOSE OF PERSONALLY ASCERTAINING SAID WEIGHT FOR RECORD. OBSERVERS WILL BE ALLOWED TO CHECK THE ACCURACY OF THE SCALES AT ANY TIME, PARTICULARLY AFTER A PERIOD OF ABSENCE;

(D) THE OBSERVER WILL BE ALLOWED TO NOTIFY THE UNITED STATES BY WIRE OR RADIO DAILY OF THE MOTHERSHIP POSITION AND CATCH OF CRAB AND OTHER MATTERS RELATING TO THE OBSERVER PROGRAM;

(E) TO THE EXTENT POSSIBLE, SIX WEEKS BEFORE THE BEGINNING OF THE CRAB SEASON, JAPAN WILL NOTIFY THE UNITED STATES OF THE DEPARTURE DATE OF THE CRAB FLEET AND THE NAMES AND DISTINGUISHING MARKINGS OF ALL VESSELS INVOLVED;

(F) INFORMATION CAN BE SUPPLIED TO THE JAPANESE GOVERNMENT BY U.S. OFFICIALS REGARDING THE PROGRESS OF THE JAPANESE FLEET AS OBSERVED BY THE U.S. OBSERVERS, WHEN THE QUOTA IS BEING APPROACHED. THE JAPANESE OFFICIALS WILL TAKE DUE ACCOUNT OF THIS INFORMATION AT THE TIME OF MAKING THE DECISION CONCERNING WHEN THE QUOTA HAS BEEN REACHED;

(G) OBSERVERS WILL BE ALLOWED TO SAMPLE EACH DAY'S CATCH FOR THE PURPOSE OF GATHERING BIOLOGICAL DATA. IN ADDITION, OBSERVERS WILL BE ALLOWED FREEDOM TO MOVE ON THE DECK OF THE FACTORYSHIP IN ORDER TO OBSERVE THE CONDUCT OF ENFORCEMENT;

(H) AT THE CONCLUSION OF EACH YEAR, THE PARTIES WILL CONDUCT A JOINT REVIEW OF THE ADEQUACY OF THE OBSERVER PROGRAM AND RELATED MATTERS, AND BASED ON THIS REVIEW WILL MAKE APPROPRIATE CHANGES. END QUOTE.

2. LETTER CONCERNING KING CRAB FISHERY -- CONFIDENTIAL. DEAR MR. CLINGAN. WITH RESPECT TO THE UNDERSTANDING REACHED BETWEEN THE REPRESENTATIVES OF JAPAN AND OF THE UNITED STATES ON THE KING CRAB CATCH QUOTA FOR 1975 AND 1976, WE HAVE BEEN APPRISED. CONFIDENTIAL

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ED OF THE POSITION OF THE JAPANESE CRAB FISHERY INDUSTRY CONCERNING THAT IT WOULD BE ECONOMICALLY UNFEASIBLE TO ENGAGE IN KING CRAB FISHERIES IN THE EASTERN BERING SEA UNDER THE AGREED QUOTA, AND THAT, THEREFORE, THE JAPANESE CRAB FISHERY INDUSTRY HAS NO INTENTION TO CONDUCT COMMERCIAL CATCH OF KING CRABS IN THE SAID AREA IN 1975 AND 1976. WE HAVE BEEN INFORMED FURTHER THAT THE JAPANESE INDUSTRY ENGAGED IN CRAB FISHERIES IN THE EASTERN BERING SEA WILL MAKE A STATEMENT OF THE ABOVE

POSITION SHORTLY AFTER THE SIGNING OF THE AGREEMENT, AND THAT, FOR THE PURPOSE OF AVOIDING STATISTICAL CONFUSIONS UNDER SUCH CIRCUMSTANCES, KING CRABS CAUGHT INCIDENTALLY IN THE COURSE OF FISHING OPERATIONS FOR TANNER CRABS IN THE EASTERN BERING SEA BE RETURNED IMMEDIATELY TO THE SEA AND THAT SUCH RETURN BE RECORDED IN THE LOG OF THE VESSELS CONCERNED.

3. LETTER CONCERNING DISPOSITION OF CRAB FISHING VESSELS AND QUOTA. DEAR MR. CLINGAN. IN CONNECTION WITH THE UNDERSTANDING REACHED TODAY BETWEEN THE REPRESENTATIVES OF THE GOVERNMENTS OF JAPAN AND THE UNITED STATES CONCERNING CRAB FISHERIES, I WISH TO INFORM YOU OF THE FOLLOWING MEASURES TO BE TAKEN BY THE JAPANESE AUTHORITIES IN CONTROLLING THE QUOTA FOR TANNER CRAB FISHERIES.

(A) THE OPERATIONS OF THE TWO MOTHERSHIPS WILL BE LIMITED TO THE AREA EAST OF 175 W, AND THE OPERATION OF THE INDEPENDENT VESSELS WILL BE LIMITED TO THE AREAS WEST OF 175 W.

(B) THERE WILL BE SPECIFIC CATCH CEILINGS ALLOCATED TO THE TWO MOTHERSHIPS OPERATING OUTSIDE THE AREA REFERRED TO IN PARAGRAPH 3(1) B (A) OF THE EXCHANGE OF NOTES, NOT TO EXCEED 5,600 METRIC TONS. (GOJ HAS PROBLEMS WITH THIS LANGUAGE, AND THUS LANGUAGE TO THIS EFFECT YET TO BE FORMALIZED)

(C) THE CAPTAINS OF THE INDEPENDENT VESSELS CONDUCTING TANNER CRAB FISHERIES IN THE AREA WEST OF 175 W WILL REPORT BY THE FOLLOWING DAY THEIR DAILY POSITIONS OF THEIR VESSELS AND THE AMOUNT OF THEIR DAILY CATCH TO THE JAPANESE OFFICIALS ABOARD THE MOTHERSHIPS OPERATING IN THE EASTERN BERING SEA. THE JAPANESE OFFICIALS WILL INFORM THE U.S. OBSERVERS DAILY OF SUCH DATA.

(D) IN CASES WHERE THE MOTHERSHIPS HAVE LEFT THE AREAS OF THEIR OPERATION IN THE EASTERN BERING SEA, THE DAILY POSITIONS AND THE AMOUNT OF DAILY CATCH OF THE INDEPENDENT VESSELS OPERATING IN THE AREA WEST OF 175 W WILL BE REPORTED TO A SUPER-CONFIDENTIAL

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VISOR ABOARD THE INSEPCION VESSLES OF THE FISHERY AGENCY OF JAPAN. THE SUPERVISOR WILL REPORT SUCH DATA DAILY TO THE AGENCY, AND THE AGENCY WILL INFORM THE UNITED STATES AUTHORITIES OF SUCH DATA UPON REQUEST.
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